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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 LUIS MARGADO DURAN,
14 Defendant.

Case No. 2:23-cr-00069-BNW

**STIPULATION TO CONTINUE
CHANGE OF PLEA HEARING**
(Second Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
17 United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and
19 Keisha K. Matthews, Assistant Federal Public Defender, counsel for Luis Margado Duran, that
20 the Change of Plea Hearing currently scheduled on September 7, 2023 at 9:30 a.m., be vacated
21 and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. The parties need additional time to finalize a non-trial disposition.
24 2. Mr. Duran has obtained his driving permit.
25 3. Mr. Duran is working towards obtaining his driver's license and needs additional
26 time to complete the driving portion of the exam.

1 4. The defendant is not in custody and agrees with the need for the continuance.

2 5. The parties agree to the continuance.

3
4 This is the second request for a continuance of the Change of Plea Hearing.

5 DATED this 7th day of September 2023.

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7 RENE L. VALLADARES
8 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

9 */s/ Keisha K. Matthews*

10 By _____

11 KEISHA K. MATTHEWS
12 Assistant Federal Public Defender

/s/ Imani Dixon

13 By _____

14 IMANI DIXON
15 Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS MARGADO DURAN,

Defendant.

Case No. 2:23-cr-00069-BNW

ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties need additional time to finalize a non-trial disposition.
2. Mr. Duran has obtained his driving permit.
3. Mr. Duran is working towards obtaining his driver's license and needs additional time to complete the driving portion of the exam.
4. The defendant is not in custody and agrees with the need for the continuance.
5. The parties agree to the continuance.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

1 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United
2 States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United
3 States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

4 **ORDER**

5 IT IS THEREFORE ORDERED that the Change of Plea Hearing currently
6 scheduled for September 7, 2023, be vacated and continued to November 16, 2023 at the
7 hour of 9:30 a.m. in Courtroom 3B

8 DATED this 11th day of September, 2023.

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10 UNITED STATES MAGISTRATE JUDGE